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EXAMINER

LEE, PHILIP C

ART UNIT

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2448

NOTIFICATION DATE

DELIVERY MODE

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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 09/820,530 | Applicant(s) MAEHIRO, KAZUTOYO | |
| | Examiner PHILIP C. LEE | Art Unit 2448 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. This action is responsive to the amendment and remarks filed on March 18, 2009.
2. Claims 1-9 and 11-21 are presented for examination and claim 10 is canceled.
3. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

Objection

4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: “tangible computer-readable media”. For examination purpose, “tangible computer-readable media” is interpreted as “storage medium” according to page 16, lines 6-10 of the specification.

Claim Rejections – 35 USC 102

5. Claims 1-2, 5-6, 9, 18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Rafal et al, U.S. Patent Application Publication 2002/0002586 (hereinafter Rafal).
6. As per claim 1, Rafal teaches the invention as claimed comprising:

Art Unit: 2448

requesting, by a chairman video game terminal ([0042], host video game terminal), a server to set an area of a database for storing chat messages ([0012], [0029], [00124]-[0127], [0153])(request server to set an area of a server for party, which includes rooms for storing chat messages/transcripts);

storing setup information, for setting the area, in a storage section of the chairman video game terminal ([0085] and [0086])(storing cookie including the URL (invitation code) at the user (host));

creating, by the chairman video game terminal, an invitation message comprising the setup information stored in the storage section ([0035] and [0119]);

giving, by the chairman video game terminal, an instruction for transmission of the invitation message ([0035] and [0119]);

transmitting the invitation message comprising the setup information from the chairman video game terminal to a guest video game terminal based on the instruction ([0035] and [0119])(sending an invitation with URL (invitation code) as setup information from host to server to guest);

receiving, by the guest video game terminal, the invitation message ([0038], [0046] and [0119]);

obtaining, by the guest video game terminal, the setup information from the invitation message ([0038] and [0046])(obtaining the URL (invitation code) to access party);

creating, by the guest video game terminal, an access request signal based on the setup information ([0046] and [0112])(user entering the URL (invitation code));

Art Unit: 2448

transmitting, from the guest video game terminal to the database, the access request signal created by the guest video game terminal in response to the guest video game terminal receiving a guest instruction ([0046] and [0112])(sending login request using the URL),

wherein the setup information is not visible on the guest video game terminal ([0087]) (URL (invitation code) contain hidden data),

wherein the setup information includes a password that is communicated from the chairman video game terminal to at least one of the server and the guest video game terminal without modification and that initiates and authenticates access to the area of the database by the guest video game terminal ([0029]) (host presents password for setting up the party), and

wherein the invitation message is created by the chairman video game terminal during a process of setting the area of the database for storing chat message ([0031] and [0035]) (party creation includes host specifying the guest list for creating the invitation message).

7. As per claim 2, Rafal teaches the invention as claimed in claim 1 above. Rafal further teaches wherein the setup information comprises at least one of a name of an electronic conference and a code number for accessing the area of the database ([0119], URL with invitation code).

8. As per claim 5, Rafal teaches the invention as claimed comprising:

Art Unit: 2448

a chairman video game terminal ([0042], host video game terminal) comprising an area requestor that requests a server to set an area of a database for storing chat messages ([0012], [0029], [00124]-[0127], [0153])(request server to set an area of a server for party, which includes rooms for storing chat messages/transcripts), a storage that stores setup information for setting said area ([0085] and [0086])(storing cookie including the URL (invitation code) at the user (host)), an invitation message creator that creates an invitation message comprising said setup information stored in said storage ([0035] and [0119]), an instruction device that gives an instruction for transmission of said invitation message created by said invitation message creator ([0035] and [0119]), and an invitation signal transmitter that transmits said invitation message comprising said setup information to a guest video game terminal in response to said instruction from said instruction device ([0035] and [0119])(sending an invitation with URL (invitation code) as setup information from host to server to guest); and

said guest video game terminal comprising a setup information retriever that receives said invitation message ([0038], [0046] and [0119]) and obtains said setup information ([0038] and [0046])(obtaining the URL (invitation code) to access party), an access request signal source that creates the access request signal comprising said setup information obtained by said setup information retriever ([0046] and [0112])(user entering the URL (invitation code)), and a request signal transmitter that transmits, to said database, said access request signal created by said access request signal source in response to said guest video game terminal receiving a guest instruction ([0046] and [0112])(sending login request using the URL),

wherein said setup information is not visible on said guest video game terminal ([0087]) (URL (invitation code) contain hidden data),

wherein said setup information includes a password that is communicated from said chairman video game terminal to at least one of the server and the guest video game terminal without modification and that initiates and authenticates access to the area of the database by the guest video game terminal ([0029]) (host presents password for setting up the party), and

wherein said invitation message creator creates the invitation message during a process of setting the area of the database for storing chat messages ([0119], URL with invitation code).

9. As per claim 6, Rafal teaches the invention as claimed in claim 5 above. Rafal further teaches wherein said setup information comprises at least one of a name of an electronic conference and a code number for accessing said area of said database ([0119]).

10. As per claim 9, the claim is rejected for the same reason as claim 1 above.

11. As per claims 18 and 20, Rafal teaches the invention as claimed in claims 1 and 5 above. Rafal further teaches wherein the chairman video game transmits the setup information to the server when requesting the server to set the area of the database for storing chat messages ([0028] and [0031]-[0037]).

Claim Rejections – 35 USC 103

12. Claims 3-4 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rafal in view of Slutsman et al, U.S. Patent 7,177,905 (hereinafter Slutsman).

Art Unit: 2448

13. As per claims 3 and 7, Rafal teaches the invention as claimed in claims 1 and 5 above.

Although Rafal teaches transmitting the invitation message containing the ID number from the chairman video game terminal to the guest video game terminal ([0035] and [0119]), however, Rafal does not specifically teach receiving an opening response signal. Slutsman teaches comprising:

receiving at the chairman's terminal, an opening response signal from said server, said opening response signal indicating that said area has been set in said database, said opening response signal comprises an ID number for allowing said server to identify said area of said database (see Slutsman, col. 2, lines 49-56, 60-62; col. 3, lines 4-10),
transmitting from the chairman's terminal said invitation signal containing said ID number (see Slutsman, col. 3, lines 17-24), and
adding said ID number contained in said invitation signal to said access request signal (see Slutsman, col. 3, lines 30-33).

14. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Rafal and Slutsman because Slutsman's teaching of receiving an opening response signal would increase the alertness of Rafal's system by allowing the host to be notified of area of the party has been set.

15. As per claims 4 and 8, Rafal and Slutsman teach the invention substantially as claimed in claims 3 and 7 above. Rafal further teaches wherein the setup information comprises at least one

Art Unit: 2448

of a name of the electronic conference and a code number for accessing the area of the database ([0119]).

16. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rafal in view of Morris et al, U.S. Patent 7,216,144 (hereinafter Morris)

17. As per claim 11, Rafal teaches the invention as claimed in claim 1 above. Rafal does not specifically teach a chat opening message comprising a type of the chat opening message and title. Morris teaches creating from the chairman video game terminal a chat opening message comprising a type of the chat opening message (1000, fig. 10), a message title (Buddy Chat, fig. 10), and a text box (Invitation message box, fig. 10), which are required to transmit the invitation message to the guest video game terminal (col. 12, lines 19-25); giving an instruction from the chairman video game terminal for transmission of the chat opening message (col. 12, lines 19-25); and transmitting from the chairman video game terminal a chat opening signal based on the instruction (col. 12, lines 19-25).

18. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Rafal and Morris because Morris's teaching of creating an opening message would increase the user's flexibility in Rafal's system by allowing a host to specify the type and title of the party to be created.

Art Unit: 2448

19. As per claim 12, Rafal and Morris teach the invention as claimed in claim 11 above.

Rafal and Morris further teach comprising input columns for an alias name of the chairman (see Morris, buddy chat room box, fig. 10) and the password which are required to request the server to open an electronic conference room (see Rafal, [0029]).

20. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Rafal and Morris for the same reason as claim 11 above.

21. As per claim 13, Rafal and Morris teach the invention substantially as claimed in claim 11 above. Morris further teach the input columns for the alias name in the chat opening message is displayed as an electronic conference room name in the invitation message (col. 12, lines 28-31).

22. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Rafal and Morris for the same reason as claim 11 above.

23. As per claim 14, Rafal and Morris teach the invention substantially as claimed in claim 11 above. Although Morris further teach transmitting a command for inviting selected guests from the chairman video game terminal (col. 12, lines 19-25); and editing the invitation message by selecting guests while the chat opening process is in progress (col. 12, lines 21-22), however,

Art Unit: 2448

Rafal and Morris do not teach selecting guests from address book. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include selecting names to invite from address book (e.g., buddy list) because by doing so it would increase the efficiency of their systems by allowing names to be referenced by the address book, hence allowing a user to quickly retrieve contact name (e.g. screen names). Noted that it is obvious to one of ordinary skill in the art at the time the invention was made that “yipster666” selected in fig. 10 of Morris’s reference could be a one of the screen name from the buddy list 210 shown in fig. 2).

24. Claims 17, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rafal in view of Cohen et al, U.S. Patent Application Publication 2009/0106416 (hereinafter Cohen).

25. As per claims 17, 19, and 21, Rafal teaches the invention as claimed in claims 1, 5 and 9 above. Rafal does not transmitting to the chairman video game terminal, an invitation answer signal in response to the guest video game terminal receiving the guest instruction. Cohen teaches transmitting, from the guest video game terminal to the chairman video game terminal, an invitation answer signal in response to the guest video game terminal receiving the guest instruction ([0082] and [0083]).

26. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Rafal and Cohen because Cohen teaching of transmitting to the chairman video game terminal, an invitation answer signal in response to the

Art Unit: 2448

guest video game terminal receiving the guest instruction would increase the alertness in Rafal's system by allowing the host system to be notified of the invitation answer from a guest.

27. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rafal and Slutsman in view of Morris.

28. As per claim 15, Rafal and Slutsman teach the invention substantially as claimed in claim 3 above. Although Rafal and Slutsman teach generating command for inviting selected guests by obtaining the password (see Rafal, [0029]) from the chat opening message and obtaining the chat ID from the opening response signal (see Slutsman, col. 3, lines 17-24; col. 5, lines 44-53), however, Rafal and Slutsman do not teach obtaining the alias name. Morris teaches generating command for inviting selected guests by obtaining the alias name (fig. 10).

29. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Rafal, Slutsman and Morris because Morris's teaching of generating command for inviting selected guests by obtaining the alias name would increase the user flexibility in Rafal's and Slutsman's systems by allowing invitation to be created using the screen name of the recipient.

30. As per claim 16, Rafal, Slutsman and Morris teach the invention substantially as claimed in claim 15 above. Rafal and Slutsman further teach wherein the password and the chat ID are

Art Unit: 2448

recognized by the guest video game terminal during the exchange of the signals (see Slutsman, col. 3, lines 17-24) but are not communicated to the guest through the screen (see Rafal, [0087]).

31. Applicant's arguments with respect to claims 1-9 and 11-21, filed March 18, 2009, have been fully considered but they are moot in view of new grounds of rejections.

32. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip C Lee whose telephone number is (571)272-3967. The examiner can normally be reached on 8 AM TO 5:30 PM Monday to Thursday and every other Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on (571) 272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may

Art Unit: 2448

be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Philip C Lee/

Primary Examiner, Art Unit 2448